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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,869	10/28/2003	Kia Silverbrook	ZG008US	4110
24011	7590	02/15/2006		EXAMINER
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, NSW 2041 AUSTRALIA			CRENSHAW, MARVIN P	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/693,869	SILVERBROOK, KIA	
	<b>Examiner</b>	<b>Art Unit</b>	
	Marvin P. Crenshaw	2854	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 September 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 - 8 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1 - 8 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 28 October 2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1.) Certified copies of the priority documents have been received.  
 2.) Certified copies of the priority documents have been received in Application No. 10/171,627.  
 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

Prosecution on the merits of this application is reopened on claims 1- 8 are considered unpatentable for the reasons indicated below:

Applicant is advised that the Notice of Allowance mailed 10/26/05 is vacated. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.

### ***Priority***

The amendment to the Specification submitted on 4/12/2005 is not sufficient to perfect priority to the filing date of the application 09/458,785. Since the original filing of the present application did not identify a claim for priority to 09/458,785, applicant must comply with the requirements of 37 CFR 1.78 to perfect priority to 09/458,785. See specifically 37 CFR 1.78 (a)(3), which indicates a petition is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 - 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Silverbrook (6,447,113).

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Silverbrook teaches an inkjet printer (Fig. 1) which comprises a support structure (Fig. 9), an ink reservoir arrangement (164,166,168 and 170) mounted on the support structure, an array of printhead chips (143) defining a stationary pagewidth printhead mounted on the ink reservoir arrangement to receive ink from the ink reservoir arrangement (164,166,168 and 170), a sealing arrangement (152) being defined about the array, an ink transfer roller (68) that is rotatably mounted on the support structure operatively with respect to the array of printhead chips (143) so that the printhead chips can carry out a printing operation on the transfer roller as the transfer roller rotates, a retaining mechanism (145) that is mounted on the support structure to bear against the ink transfer roller, a sheet of print (See col. 9, lines 59 – 66) medium being receivable between the retaining mechanism and the transfer roller so that ink printed on the

transfer roller is transferred to the sheet of print medium as the transfer roller rotates and a feed mechanism (54) mounted on the support structure for feeding the sheet of print medium between the ink transfer roller and the retaining mechanism wherein the ink reservoir arrangement is operatively arranged during a printing operation, maintain a spaced relationship of the array of printhead chips and the transfer roller and during a non-printing operation, place the array of printhead chips against the transfer roller so that the printhead chips are sealed by the sealing arrangement and transfer roller (See Col. 10, lines 34 – 65).

With respect to claim 2, Silverbrook teaches an inkjet printer as which includes a housing (26) that defines a receiving formation, a chassis (30) that is positioned in the housing and a media tray (22) assembly that is received in the receiving formation and is displaceably engageable with the chassis to permit the media tray assembly to be received in and withdrawn from, the receiving formation, the media tray assembly (22) and the housing (26) defining a print medium feed path, the media tray assembly (22) having a media tray in which a stack of print medium sheets can be stored, the feed mechanism (54) being positioned on the media tray to feed the sheets from the tray, the support structure being defined by the media tray at a downstream end of the media tray.

With respect to claim 3, Silverbrook teaches an inkjet printer in which the ink reservoir (164,166,168 and 170) arrangement defines a number of ink reservoirs in which respective inks can be stored.

With respect to claim 4, Silverbrook teaches an inkjet printer which includes an ink connector (84) arrangement that is in fluid communication with the ink reservoirs (164,166,168 and 170), the ink connector (84) arrangement being configured to permit an ink cartridge to be connected to the media tray to supply the reservoirs with ink.

With respect to claim 5, Silverbrook an inkjet printer in which a power and data supply arrangement for the printhead chip (143) array is positioned on the housing (26) and the housing and media tray (22) assembly include complimentary releasable electrical connectors that engage each other when the media tray assembly is received in the receiving formation and disengage each other when the media tray assembly is withdrawn from the receiving formation, the electrical connector of the media tray assembly being connected to the array of printhead chips so that power and data can be supplied to the printhead chips (See col. 9, lines 11 – 33)

With respect to claim 6, Silverbrook teaches an inkjet printer in which the electrical connectors (See col. 9, lines 31 – 34) are in the form of complementary contact moldings (60).

With respect to claim 7, Silverbrook teaches an inkjet printer in which a flexible PCB (Fig. 8A, 34) is connected between the contact molding on the media tray assembly and the array of printhead chips (See col. 9, lines 31 – 34).

With respect to claim 8, Silverbrook teaches an inkjet printer which comprises a support structure (Fig. 9), an array of printhead chips (143) mounted on each ink reservoir arrangement (164,166,168 and 170) to receive ink from the ink reservoir arrangement and so as to define a stationary pagewidth printhead (See col. 1, lines 35

– 38) on each ink reservoir arrangement, a sealing arrangement (See col. 1, lines 45 – 47) being defined about each array, a pair of ink transfer rollers (Fig. 13) that is rotatably mounted on the support structure, each ink transfer roller (Fig. 13, 68) being positioned adjacent one respective array of printhead chips so that the printhead chips can carry out a printing operation on the transfer rollers as the transfer rollers rotate, the transfer rollers (Fig. 13, 68) being positioned to bear against each other, a sheet of print medium (Fig. 13, 144) being receivable between the transfer rollers so that ink printed on the transfer rollers is transferred to both sides of the sheet of print medium as the transfer rollers rotate and a feed mechanism (54) for feeding the sheet of print medium between the ink transfer rollers wherein each ink reservoir arrangement is operatively arranged to, during a printing operation (See col. 1, lines 53 – 65) maintain a spaced relationship of the associated array of printhead chips and transfer roller and during a non-printing operation, place said associated array of printhead chips against said transfer roller so that the printhead chips are sealed by the associated sealing arrangement and transfer roller.

With respect to applicant claims of having a pair of opposed ink reservoir arrangements mounted on the support structure, since Silverbrook teaches having opposed printing heads, it would be inherent to be efficient that each printhead would have its own ink reservoir for duplex printing.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*MPC*  
MPC  
January 31, 2006

*AH*  
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